



GREENWOOD COMMON COUNCIL AUGUST 16, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

Let the record show that the tape recorder was not functioning. The malfunction was not noticed as the tape was moving.

The audience recited the Pledge of Allegiance in unison, after which the Rev. David Owens of Johnson Memorial Hospital offered the invocation.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.
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Mr. Bates moved to accept the minutes of August 2nd, with second by Mr. Gibson. Vote: Ayes.

Mayor Henderson at this point recognized the heroic efforts of 7 lifeguards who saved a life at the pool on July 20, 2004. Honored were Danielle Allen and Jordan McClain. Others working were Alex Lane, Mary Kate Dugan, Devan Mandabach, Brad Brickley and Sarah Frantsi.

Paige Gilpin of H.J. Umbaugh gave a preliminary 2005 budget analysis, discussing projected revenues and disbursements, the estimated 2005 maximum levy and the excess levy appeal for taxes payable 2005. (Packet is included in attachments of this meeting.) The budget ordinance will be introduced at a special meeting on August 23rd and the public hearing will be at a special meeting on August 30th.

Dr. Carol D'Amico of Ivy Tech State College presented a brochure and discussed plans for a future branch in Greenwood. (In attachments of this meeting).

Rusty Couse and Ted Murphy were invited to report on Johnson County Senior Services at this point.

The City Attorney had distributed her litigation report. There were no questions from the Council.

The Family Aquatic Center (F.A.C.) Task Force from the Parks Board was represented by Pete Wiser, Chairman, and Pat Sherman, consultant, to update financial and potential bond information for the proposed aquatic center.

Mr. Armstrong reported for the Plan Commission and Mr. Deer for the tax abatement committee.

ORDINANCE No. 04-28 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 51.54 Acres Located South of Curry Road, and Along the West Side of Honey Creek Road, and Commonly Known as the Forest Lawn Memory Gardens, Inc. Property. **CONTINUED UNTIL SEPTEMBER 8, 2004 MEETING FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-32 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana and Providing for the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana, As Amended, and For the Repeal of All Ordinances in Conflict Herewith” (Proposed Rezoning of approximately 30 acres of land located west of Combs Road, commonly known as Mann Properties, LLC (Franklin College, Mayme Pass Trust, Jeb & Angela Dickens and Robert & Aileen Robison Properties). **POSTPONED UNTIL SEPTEMBER 8, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-33 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 44.2 Acres Located on the West Side of Combs Road and North of County Road 1000N, and Commonly Known as Mann Properties, LLC Property (Franklin College, Mayme Pass Trust, Jeb & Angela Dickens and Robert & Aileen Robison Properties). **POSTPONED UNTIL SEPTEMBER 8, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-34 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 5.010 Acres Located on the West Side of Combs Road and Bordering the South Boundary of the Regency Windsor Development, and Commonly Known as Mann Properties, LLC Property (Franklin College, Mayme Pass Trust, Jeb & Angela Dickens, and Robert & Aileen Robison Properties) **POSTPONED UNTIL SEPTEMBER 8, 2004 FOR FIRST READING AND PUBLIC HEARING.**

ORDINANCE No. 04-37 – An Ordinance to Establish a Special Non-Reverting Fund to Administer Money Received for Sale of Greenwood City Flags. Mr. Hardin moved to pass Ordinance No. 04-37 through first reading. Second by Mr. Bless. Vote: Ayes. **PASSED FIRST READING.** Mr. Gibson moved for suspension of the rules in order to consider second reading. Second by Mr. Bless. Vote: Ayes – Armstrong, Bless, Deer, Gibson, Reed; Nays – Bates, Hardin. Motion failed.

ORDINANCE No. 04-38 – An Ordinance Amending Chapter 2, Article 6, Sec. 2-38, and Chapter 8, Article 9, Sec. 8-115 Exhibit A, of the Greenwood Municipal Code, As Amended, Designating No Parking on Holman Place and Along the Curves of Elm Drive Within the City of Greenwood. Mr. Gibson, a resident on Elm, stated the name is Elm Street, not Elm Drive. This led to discussion, after which Mr. Gibson moved to amend Ordinance No. 04-38 by adding “also commonly known as Elm Street” after “Drive”. Second by Ms. Reed. Vote: Ayes. **AMENDED.** Mr. Gibson then moved to pass Ordinance No. 04-38, as amended, through first reading. Second by Ms. Reed. Vote: Ayes. **PASSED FIRST READING AS AMENDED.**

ORDINANCE No. 04-39 – An Ordinance Providing for an Additional Appropriation from the City Court Document Storage Fee Fund to the Greenwood City Court for a Digital Recorder (\$8,500) and an Additional Appropriation from the City Court Late Fee Fund to the Greenwood City Court for Costs Associated with Installation of Video Equipment. (\$5,000) Ms. Reed moved to pass Ordinance No. 04-39 on first reading. Second by Mr. Hardin. Mayor Henderson opened the public hearing for comments and questions. Judge Lewis Gregory described a problem that has arisen with installing the equipment to cover blind spots in the court. He requested an increase in the amount from the document storage fee fund from \$8,500 to \$12,000 and an increase in the amount from the city court late fee fund from \$5,000 to \$15,000. Ms. Reed moved to amend the ordinance as described. Second by Mr. Hardin. Vote: Ayes. **PASSED FIRST READING AS AMENDED.** Because of the need to readvertise the ordinance, Mr. Bless moved to continue the matter until September 20, 2004. Second by Mr. Bates. Vote: Ayes. **CONTINUED UNTIL SEPTEMBER 20, 2004 FOR PUBLIC HEARING AND SECOND READING.**

RESOLUTION No. 04-22 – A Resolution of the Greenwood Common Council Regarding the Need to Lease Office Space for Greenwood City Court Post Conviction Services Division. Mr. Bates moved to pass Resolution No. 04-22 on first reading. Second by Mr. Hardin. Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 04-20 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana Approximately 110.18 Acres Located East of I-65 and North of East Main Street (commonly known as the Sarah Mae Windhorst Revocable Trust Property). **POSTPONED UNTIL SEPTEMBER 8, 2004 FOR SECOND READING.**

ORDINANCE No. 04-36 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing For the Administration, Enforcement and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana, As Amended, and

For the Repeal of All Ordinances in Conflict Herewith" (Proposed Rezoning of Lots 1 and 2 in the Joseph Scudder's Addition, 402 and 412 W. Main Street, commonly known as Thomas Weartz and Leon NicholSEN Properties). Mr. Bates moved to pass Ordinance No. 04-36 on second reading with second by Ms. Reed. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 04-40 – An Ordinance Transferring Funds Within the Budget of the Legal Department (\$3,000). **INTRODUCED.**

ORDINANCE No. 04-41 – An Ordinance Fixing Salaries of Appointed Officers and Employees of the City of Greenwood, Indiana for the Year 2005. **INTRODUCED.**

ORDINANCE No. 04-42 – An Ordinance Fixing Salaries of Elected Officials of the City of Greenwood, Indiana for the Year 2005. **INTRODUCED.**

ORDINANCE No. 04-43 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled "An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing For the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana As Amended, and For the Repeal of All Ordinances in Conflict Herewith" (Proposed Rezoning of approximately 15.96 acres of land located on the east side of Emerson Avenue and approximately 1/3 mile south of County Line Road, commonly known as Frick Farm Supply Property. Attorney Bob Wildman represented the petitioner for a presentation on the property. **INTRODUCED.**

RESOLUTION No. 04-23 – A Resolution of the Greenwood Common Council to Petition for Appeal of Relief From Property Tax Levy Limitations. **INTRODUCED.** Mr. Hardin moved to suspend the rules in order to consider first reading. Second by Mr. Bless. Vote: Ayes. **RULES SUSPENDED.** At this time, Mr. Gibson moved to pass Resolution No. 04-23 through first reading. Second by Mr. Bates. Vote: Ayes. **PASSED FIRST READING.** Mr. Bates then moved to suspend the rules in order to consider second reading. Second by Mr. Hardin. Vote: Ayes. **RULES SUSPENDED.** Mr. Hardin moved to pass Resolution No. 04-23 through second reading. Second by Mr. Bates. Vote: Ayes. **PASSED SECOND READING.**

Under miscellaneous business Mr. Hardin asked for an update on the Gilmour property. The Mayor said that Mrs. Gilmour is still taking personal belongings from the home and mentioned the issue of asbestos removal in the demolition.

In response to Mr. Hardin's question on the Valle Vista paving project, Mr. Armstrong stated that he had driven through the area before the meeting and work is progressing well. Curbs are out. He thought the project would be finished this season.

Mr. Hardin next requested information on the sale of police vehicles over the last three years. Chief Hessman replied that he would get that information and noted that most of the police vehicles are sold at Christie's auction.

Mr. Deer asked about a second sign for the parking lot on Madison Avenue.

Mr. Bates had received a letter from Congressman Steve Buyer regarding legislation pertaining to marriage which he gave to the Clerk-Treasurer for these attachments along with a copy of the Congressional Record on the Marriage Protection Act of 2004.

Mayor Henderson stated he has made inquiries into "dressing up" the City parking lot between the First Baptist Church and the former Shirley Auto Repair Shop. The Mayor reported that Allison Randolph of the Old Towne Merchants Association is working on getting a sign to replace the 76 sign there.

Mr. Armstrong stated he received a request from a resident in Whispering Trails Subdivision regarding the 2004 Overlay Project, asking whether any repairs are scheduled for Whispering Trails. Mayor Henderson responded, stating the City is doing maintenance only in that subdivision.

Mayor Henderson announced he received a letter from Commonwealth Engineering, the Engineers for the Bargersville Sewer Utility, regarding the sewer issues related to Greenwood's consent to Bargersville's annexation of land within 3 miles of our boundaries; however, he has not received a request for a meeting yet to discuss the issues.

At this point, the Council recessed for ten minutes.

Budgets were presented for the Board of Public Works and Safety and for the Mayor by Mayor Henderson, for the Fire Department by Chief Steve Dhondt, and the Council by President Reed.

With no further business, the meeting adjourned at 9:25 p.m.